

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

DAVID DELL'AQUILA, LORANNDABORJA, TODD CHESNEY, and  
BRENT WEBER, on behalf of  
themselves and all others similarly  
situated,

Plaintiffs,

v.

WAYNE LaPIERRE, the NATIONAL  
RIFLE ASSOCIATION OF AMERICA, a  
New York not-for-profit corporation, and  
the NRA FOUNDATION, INC., a  
Washington, D.C. not-for-profit  
corporation,

Defendants.

Case No. 3:19-cv-00679

Judge William L. Campbell, Jr.

Magistrate Judge Jeffery Frensley

JURY TRIAL DEMANDED

---

**STATUS REPORT**

Plaintiffs David Dell'Aquila, Lorannda Borja, Todd Chesney, and Brent Weber, by and through undersigned counsel, submit this status report in advance of the status hearing scheduled for February 22, 2023, before Magistrate Judge Frensley, stating as follows:

1. As part of the Amended Case Management Order entered on September 26, 2022, the Court set a telephonic status hearing for 9:00 a.m. tomorrow, February 22, to discuss "the issue of class certification, status of discovery (including any known or anticipated discovery issues or disputes); prospect for settlement (including propriety of ADR); and any other appropriate matters." Dkt. 103.

2. To ensure that tomorrow's hearing is as productive as possible, Plaintiffs now submit this status report, which is accompanied by a draft Third Amended Complaint that they intend to seek the Court's leave to file in the near future.

3. The proposed Third Amended Complaint adds claims and defendants. If Plaintiffs are granted leave to file this amended complaint, issues relevant to class certification will be impacted, and discovery-related issues could be impacted as well.

4. The draft Third Amended Complaint submitted with this report is not final, but the draft will apprise the Court and Defendant generally of the amendments Plaintiffs will seek leave to make.

Respectfully submitted,

/s/ Julia Rickert

Michael I. Kanovitz (*pro hac vice*)  
Jonathan I. Loevy (*pro hac vice*)  
Julia Rickert (*pro hac vice*)  
Thomas Hanson (*pro hac vice*)  
Jordan Poole (*pro hac vice*)  
Heather Sticht (BPR 030827)  
LOEVY & LOEVY  
311 N. Aberdeen St., 3rd Fl.  
Chicago, IL 60607  
O: (312) 243-5900  
mike@loevy.com

Elizabeth Wang (*pro hac vice*)  
LOEVY & LOEVY  
2060 Broadway, Ste. 460  
Boulder, CO 80302  
O: (720) 328-5642  
elizabethw@loevy.com

*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2023, a true and exact copy of Plaintiffs' Status Report was electronically filed with the Clerk's Office using the CM/ECF filing system and served via the Court's CM/ECF system and/or via email and/or U.S. Mail upon the parties listed below. Parties may also access this filing through the Court's CM/ECF system.

William A. Brewer  
Elizabeth DeCid  
BREWER, ATTORNEYS & COUNSELORS  
750 Lexington Ave., 14th Floor  
New York, NY 10022  
Email: wbb@brewerattorneys.com  
emd@brewerattorneys.com

and

Wallace A. McDonald  
LACY, PRICE & WAGNER, P.C.  
249 N. Peters Rd., Suite 101  
Knoxville, TN 37923  
Email: amcdonald@lpwpc.com

Respectfully submitted,  
s/ Julia Rickert  
*One of Plaintiffs' Attorneys*